

North Dakota Board of Nursing

Meeting Minutes – November 17-18, 2005

Call to Order: November 17, 2005 at 8:30 a.m. – Board office Conference Room, 919 S 7th St, Ste 504, Bismarck, ND.

Roll Call: Nine board members present as follows:

Claudia Dietrich, RN, President	Nelson (Buzz) Benson, RN
JoAnn Sund, RN, Vice-President	Donna Hegle, RN
Roxane Case, Public Member, Treasurer	Renee Olson, LPN
Metta Schell, LPN	Mary Tello-Pool, LPN
Helen Melland, RN	

Staff Present:

Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director
Patricia Hill, RN, Asst. Director for Practice & Discipline	Linda Shanta, RN, Associate Director for Education
Julie Schwan, Admin Services Coordinator	

The following were absent on Friday, November 18, 2005: Board members: Claudia Dietrich, RN; Roxane Case, Public Member Staff: Patricia Hill, RN

Other observers present are indicated on the meeting roster.

MINUTES REFLECT ACTIVE AGENDA ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.

AGENDA ITEM	ACTION
Environmental Scan	<p>Topics discussed during the environmental scan included the following:</p> <ul style="list-style-type: none"> ♦ Sund attended a national conference that included topics of discussion such as educational preparation and staffing levels. ♦ Melland has taken a new position as Director of Undergraduate Education and is working to develop new curriculum for baccalaureate program as well as an RN to MS Program. ♦ Tello-Pool indicated public health is busy with disseminating correct information regarding the (bird) flu and working with education and vaccination for influenza. ♦ Olson indicated Altru Health System is still short of nurses and is using technicians and nursing students to administer flu vaccines. ♦ Hegle reported that Ward County did not get flu vaccines and is still restricted to distribution to high risk clients. ♦ Dietrich reported on an OR Manager Conference she attended and indicates St Alexius is waiting for new CEO.
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. Staff requested moving 8.13 from the consent agenda to Agenda Item 6.4 on the regular agenda for Board action.</p> <p><i>Motion:</i> Olson, seconded by Sund to: ADOPT THE CONSENT AGENDA AFTER MOVING AGENDA ITEM 8.13 TO AGENDA ITEM 6.4 ON THE REGULAR AGENDA.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. No changes were identified.</p> <p><i>Motion:</i> Sund, seconded by Case to: ADOPT THE AGENDA AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
1.3 Open Forum (9:00 a.m.)	<p>Karen Latham, President of College and University Nursing Education Administrators (CUNEA). CUNEA presented a letter to the board written in spirit of cooperation and collaboration. CUNEA stated the Nursing Education Standards were well developed with much input from practice and education. CUNEA would like to offer their expertise and consultation to the board on education issues.</p>
2.1 July 21-22, 2005 Meeting Minutes	<p><i>Discussion:</i> The minutes of the September 15, 2005 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Sund, seconded by Olson to: APPROVE THE MINUTES OF THE SEPTEMBER 15, 2005 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
3.1 Financial Statements	<p>Financial Statements through October 31, 2005 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Income is at 32% of budgeted and expenses at 29% of budgeted.</p>
3.2 Strategic Planning for 2006-2009	<p>The Board has contracted with Dr. Jon Martinson for consultation services for the strategic planning. He will be working with the board on January 20, 2006 March 10, 2006 and May 19, 2006. Joey Ridenour RN, Executive Director of the AZ Board of Nursing will be meeting with the board on January 18, 2006 to prepare for the strategic planning. The board reviewed the goals of the planning session.</p>

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3.3 Report on Disaster & Recovery Plan	The board office is required by Risk Management to develop a disaster recovery plan, which was initially developed and approved in March 2002. In addition, the Board participates in a disaster recovery program through the state called LDRPS (Living Disaster Recovery Plan Systems), which is more detailed than the business continuation plan.												
3.4 Business Continuation Plan	<p><i>Discussion:</i> The board reviewed the Business Continuation Plan. It was noted that as participants in NURSUS, the board also has another backup mechanism for the licensure data through NCSBN.</p> <p><i>Motion:</i> Tello-Pool, seconded by Olson to: ACCEPT THE ND BOARD OF NURSING BUSINESS CONTINUATION PLAN.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>												
3.5 Account at Dakota Community Bank	<p><i>Discussion:</i> Since the bulk of the income for the board is received during the three month renewal cycle and that revenue is deferred, it is necessary for the board to keep a substantial amount of the income in reserve funds. Staff is requesting to open an account with Dakota Community Bank which is located in the building for reserve fund investment and to discontinue the account at Piper Jaffray.</p> <p><i>Motion:</i> Olson, seconded by Case to: APPROVE OPENING AN ACCOUNT AT DAKOTA COMMUNITY BANK FOR INVESTMENT OF RESERVE FUNDS.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>												
3.6 Report of Audit – EideBailly – November 18, 2005 at 9:00 a.m.	<p><i>Discussion:</i> Barb Aasen, CPA, Partner of EideBailly was present to address the board regarding the 2004-2005 audit report. Ms. Aasen reviewed the report with the board, and indicated there were no findings of material weaknesses and no recommendations for this year.</p> <p><i>Motion:</i> Tello-Pool, seconded by Olson to: APPROVE THE 2005-2006 AUDIT REPORT SUBMITTED BY EIDEBAILLY.</p> <p><i>Roll call vote:</i> Benson, yes; Case, absent; Dietrich, absent; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 7 yes, 0 no, 2 absent. Motion carried.</p>												
3.7 Annual Report – November 18, 2005 at 9:30 a.m.	<p><i>Discussion:</i> The board reviewed a draft of the 2004-2005 annual report. Editorial changes were noted. The Board directed staff to send a copy of the annual report to the members of the Interim Committees for Health and Human Services.</p> <p><i>Motion:</i> Olson, seconded by Schell to: APPROVE THE 2005-2006 ANNUAL REPORT WITH EDITORIAL CHANGES.</p> <p><i>Roll call vote:</i> Benson, yes; Case, absent; Dietrich, absent; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 7 yes, 0 no, 2 absent. Motion carried.</p>												
4.3 Voluntary Surrenders	<p><i>Discussion:</i> Voluntary Surrenders were received from two individuals, seeking the Board's consideration and approval of its terms.</p> <p><i>Motion:</i> Olson, seconded by Schell to: APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AND ENTER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING:</p> <table><tr><td>NAME</td><td>LIC/REG #</td><td>CITY, STATE</td><td>PENALTY FEE</td></tr><tr><td>THOMPSON, SHARON</td><td>L9974</td><td>GRAFTON, ND</td><td>N/A</td></tr><tr><td>BERGMAN, SUSAN</td><td>L1708</td><td>ARGUSVILLE, ND</td><td>\$200</td></tr></table> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	NAME	LIC/REG #	CITY, STATE	PENALTY FEE	THOMPSON, SHARON	L9974	GRAFTON, ND	N/A	BERGMAN, SUSAN	L1708	ARGUSVILLE, ND	\$200
NAME	LIC/REG #	CITY, STATE	PENALTY FEE										
THOMPSON, SHARON	L9974	GRAFTON, ND	N/A										
BERGMAN, SUSAN	L1708	ARGUSVILLE, ND	\$200										
4.41 Stipulation for Settlement – Kelli Loterbaugh, 98434UAP	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kelli Loterbaugh, UAP, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4).</p> <p><i>Motion:</i> Sund, seconded by Olson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KELLI LOTERBAUGH, UAP, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none">• ISSUE A REPRIMAND;• ASSESS A \$100.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND• OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>												

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4.42 Stipulation for Settlement – Michael Kilzer, R30985	<p><i>Discussion:</i> A Stipulation for Settlement was received from Michael Kilzer, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (2) (8).</p> <p><i>Motion:</i> Olson, seconded by Case: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHAEL KILZER, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, recuse; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
Consent Order - Richard Brown, R28501	<p><i>Discussion:</i> A Consent Order was received from Richard Brown, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Consent Order for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (2) (5) (6) (8) (17).</p> <p><i>Motion:</i> Olson, seconded by Schell: ACCEPT THE TERMS OF THE PROPOSED CONSENT ORDER FOR RICHARD BROWN, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS A \$1200.00 PENALTY FEE; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, recuse; Case, yes; Dietrich, yes; Hegle, yes; Melland, recuse; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 7 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
4.51 Consent Order – Susan Franchuk, L9141	<p><i>Discussion:</i> A Consent Order was received from Susan Franchuk, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Consent Order for violation of NDCC 43-12.1-14 (4) (9), NDCC 43-12.1-20 and NDAC 54-02-07-01.1 (7) (13) (18).</p> <p><i>Motion:</i> Sund, seconded by Olson to: ACCEPT THE TERMS OF THE TERMS OF THE CONSENT ORDER FOR SUSAN FRANCHUK, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND WITH A STAYED SUSPENSION; • ASSESS A \$400.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS OF \$64.52; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.61 Default Hearing – Traci Deck, R29009	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for a default hearing for Traci Deck, RN. A complaint was filed against Ms. Deck for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (5) (6) (7). Bergeson explained that the respondent failed to respond or appear to answer to the allegations of the complaint. Respondent was not present for the hearing and was not represented by counsel. Hill testified about the factual and procedural background of the case, included the date of service of the complaint, the lack of any answer or response by the Respondent, and the evidence supporting the allegations of the complaint. The disciplinary review panel presented to the Board a recommendation of disciplinary sanctions. The board reviewed and discussed the proposed Findings of Fact, Conclusion of Law, and Default Order submitted to the board for their consideration by Mr. Bergeson.</p> <p><i>Motion:</i></p> <ul style="list-style-type: none"> • THAT THE RESPONDENT HAS DEFAULTED, • THE FACTS IN THE CASE AGAINST TRACI DECK, RN, HAVE BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE, • THAT THE ALLEGATIONS OF THE COMPLAINT DULY REFLECT VIOLATIONS OF NDCC 43-12.1-14 (3) (5) AND NDAC 54-02-07-01.1 (5) (6) (7); AND • THAT THE BOARD ADOPT THE PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DEFAULT ORDER FOR TRACI DECK, RN, AND ENTER ITS ORDER TO: <ul style="list-style-type: none"> ○ INDEFINITELY SUSPEND HER RN LICENSE UNTIL COMPLETION OF HER BOARD ORDERED COURSES, AND THEN ISSUE AN ENCUMBERED LICENSE; ○ ASSESS A \$1600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; ○ REQUIRE A PERSONAL APPEARANCE FOR REINSTATEMENT PRIOR TO FULL LICENSURE; AND ○ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, recuse; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>

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4.62 Default Hearing – Marilyn Bjerke, R16755	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for a default hearing for Marilyn Bjerke, RN. A complaint was filed against Ms. Bjerke for violation of NDCC 43-12.1-14 (3) (5) (6) and NDAC 54-02-07-01.1 (5) (6) (7) (12). Bergeson explained that the respondent failed to respond or appear to answer to the allegations of the complaint. Respondent was not present for the hearing and was not represented by counsel. Bitz testified about the factual and procedural background of the case, included the date of service of the complaint, the lack of any answer or response by the Respondent, and the evidence supporting the allegations of the complaint. The disciplinary review panel presented to the Board a recommendation of disciplinary sanctions. The board reviewed and discussed the proposed Findings of Fact, Conclusion of Law, and Default Order submitted to the board for their consideration by Mr. Bergeson.</p> <p><i>Motion:</i> Sund, seconded by Case:</p> <ul style="list-style-type: none"> • THAT THE RESPONDENT HAS DEFAULTED, • THE FACTS IN THE CASE AGAINST MARILYN BJERKE, RN, HAVE BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE, • THAT THE ALLEGATIONS OF THE COMPLAINT DULY REFLECT VIOLATIONS OF NDCC 43-12.1-14 (3) (5) (6) AND NDAC 54-02-07-01.1 (5) (6) (7) (12); AND • THAT THE BOARD ADOPT THE PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DEFAULT ORDER FOR MARILYN BJERKE, RN, AND ENTER ITS ORDER TO: <ul style="list-style-type: none"> ○ REVOKE HER LICENSE; ○ ASSESS A \$2400.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, recuse; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.71 Request for Reinstatement – Patricia Rhone, R 25454 - November 17, 2005 at 9:40 a.m.	<p><i>Discussion:</i> Patricia Rhone was present to request reinstatement of her RN license. The board reviewed her board order from January, 2002. Ms. Rhone reviewed events of the last five years in her life and her future plans to return to nursing.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to: ACCEPT PATRICIA RHONE'S REQUEST FOR REINSTATEMENT OF HER RN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER DATED JANUARY 17, 2002.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.91 Other – Lola Kouba - NNAAP Applicant – Appearance November 17, 2005 at 1:45 p.m.	<p><i>Discussion:</i> Lola Kouba submitted a NNAAP application with a positive response to the criminal history question, and was present to address the board regarding her application response. Ms. Kouba's charges were filed in August 2005, and the board discussed the usual practice of denying applications until the applicant is half way through their criminal probationary status. Additional documentation has been received since the Disciplinary Review Panel meeting, and the board discussed that documentation. An encumbrance with monitoring was discussed.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to: ACCEPT LOLA KOUBA'S APPLICATION FOR NNAAP TESTING WITH THE STIPULATION THAT UPON PASSING THE EXAMINATION SHE BE ON ENCUMBERED STATUS FOR EIGHTEEN MONTHS.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.92 Other – Michelle Bisson – NNAAP Applicant	<p><i>Discussion:</i> Michelle Bisson submitted a NNAAP application with a positive response to the criminal history question. Hill reviewed the application response, and indicates her sentence for a charge in MN and ND in 2005. The board reviewed the two judgments and records of completion of inpatient treatment in August 2005. A report from her MN probation officer was reviewed.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to: DENY MICHELLE BISSON'S APPLICATION FOR NNAAP TESTING BASED ON NDCC 43-12.1-14 (1).</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.11 Sitting Bull College ASPN Program (NEC) – November 17, 2005 at 2:15 pm	<p><i>Discussion:</i> D'Arlyn Bauer, Chair of the ASPN Program at Sitting Bull Community College was present for this agenda item. Melland indicated the Nursing Education Committee reviewed the report in detail, and Shanta indicated there were no areas of non-compliance, and reviewed the areas of partial compliance.</p> <p><i>Motion from Nursing Education Committee:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD THAT SITTING BULL COLLEGE ASSOCIATE OF SCIENCE IN PRACTICAL NURSING PROGRAM IS IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 AND GRANT FULL APPROVAL THROUGH NOVEMBER 2010, PENDING SUBMISSION OF THE COMPLETED EVALUATION PLAN NO LATER THAN SEPTEMBER 1, 2006.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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5.12 University of Mary Undergraduate and Graduate Program (NEC) – November 17, 2005 at 2:30 p.m.	<p><i>Discussion:</i> Sr. Mariah Dietz, Chair of the Nursing Department at the University of Mary was present for this agenda item. Melland indicated the nursing education committee reviewed the report in detail, and Shanta indicated only one rule is of partial compliance related to faculty qualifications.</p> <p><i>Motion from Nursing Education Committee:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD THAT THE UNIVERSITY OF MARY GRADUATE AND UNDERGRADUATE PROGRAMS ARE IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM AND GRANT CONTINUING FULL APPROVAL OF THE BACCALAUREATE AND MASTERS FNP PROGRAM THROUGH NOVEMBER 2010.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.21 Excelsior Program – proposed preceptor model – add Gina Nelson, Angela Stevenson, and Lanessa Hirsch	<p><i>Discussion:</i> At the September meeting, the board approved a preceptor model from Excelsior College to offer clinical experience for four students in North Dakota. Three additional students have come forward since, that reside in MN. Dr. Boni, from Excelsior has been in contact with these students to offer the clinical preceptorship to qualify for ND licensure. Concerns were expressed regarding the limited number of clinical at 150 hours, and that students are not prepared for practice. It was noted that the clinical preceptorship is a one time option to allow those students that were currently enrolled in the program to meet the requirements for licensure in ND.</p> <p><i>Motion:</i> Olson, seconded by Case to: BOARD RATIFY APPROVAL OF THE ADDITION OF GINA NELSON, ANGELA STEVENSON AND LANESSA HIRSCH TO THE PROPOSED PRECEPTOR MODEL PRESENTED BY EXCELSIOR COLLEGE FOR STUDENTS TO OBTAIN CLINICAL EXPERIENCE IN NORTH DAKOTA.</p> <p><i>Roll call vote:</i> Benson, no; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 1 no, 0 absent. Motion carried.</p>
5.22 Request to extend UND Approval through 1-06	<p><i>Discussion:</i> A new Dean has been appointed at the University of ND. The staff has begun the process of paper review but has not had time to complete the process. The staff request extension of approval of the program until the January Board Meeting.</p> <p><i>Motion:</i> Case, seconded by Olson to: APPROVE THE REQUEST TO EXTEND APPROVAL OF THE BACCALAUREATE DEGREE PROGRAM AND GRADUATE PROGRAMS THROUGH JANUARY 2006.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.23 Request to extend DNP ADN program initial approval through 7-06	<p><i>Discussion:</i> The Dakota Nursing Program approval process was reviewed. The RN program survey is due March 2006 and the PN program June 2006. Staff request that both programs be reviewed at the same time to be more cost effective.</p> <p><i>Motion:</i> Hegle, seconded by Schell to: APPROVE THE REQUEST TO EXTEND THE DAKOTA NURSE PROGRAM ASSOCIATE DEGREE NURSING PROGRAM APPROVAL THROUGH JULY 2006 TO ALLOW JOINT ON-SITE SURVEY OF BOTH THE ADN AND PN PROGRAMS.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.24 CUNEA – expertise on education issues	This agenda item was addressed during open forum.
5.25 Interim Director for Dakota Nurse Program	Linda Tharp has been named the Interim Director of Dakota Nursing Program effective November 1, 2005. The letter from President Joseph McCann from WSC indicated the program is still working to find a full time Director for the Dakota Nursing Program.
5.31 MSLCC Medication Assistant II Program	<p><i>Discussion:</i> Missouri Slope Lutheran Care Center has submitted a Medication Assistant II course for continued approval. Hill indicated the course meets the board's guidelines for Medication Assistant II courses.</p> <p><i>Motion:</i> Melland, seconded by Olson: THAT MISSOURI SLOPE LUTHERAN CARE CENTER MEDICATION ASSISTANT PROGRAM II MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM II AS SET BY NDAC CHAPTER 54-07-07 AND THAT THE BOARD GRANT CONTINUED APPROVAL FOR THIS COURSE TO BE OFFERED BY MSLCC OF BISMARCK FROM NOVEMBER 2005 THROUGH NOVEMBER 2009.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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5.41 Report on Regulatory Day	<p><i>Discussion:</i> Kalanek reported that approximately 202 nurses registered for the First Annual Regulatory Day Conference. The board reviewed a report, and overall comments were very positive, with the exception of the room not being large enough. A second conference is suggested for the eastern part of the state next year.</p> <p><i>Motion:</i> Olson, seconded by Sund that: THE BOARD PROVIDE A SECOND REGULATORY DAY IN 2006 IN THE EASTERN PART OF THE STATE.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.42 Ratification of approval of workshop etc for contact hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of November 15, 2005 for ratification.</p> <p><i>Motion:</i> Schell, seconded by Case to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSE #562 THROUGH #571.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.51 Nursing Education Loan Awards	<p><i>Discussion:</i> There were several nursing education loan awards from July 2005 that were declined, leaving \$6200 not awarded for 2005-2006. The Nursing Education Committee reviewed the applications that were denied in July due to lack of funds, as well as those awards that were reduced, and provided a recommendation to the board for awards.</p> <p><i>Motion from the Nursing Education Committee to:</i> THE NURSING EDUCATION LOAN COMMITTEE RECOMMENDS TO THE BOARD THAT THE FOLLOWING INDIVIDUALS RECEIVE THE NURSING EDUCATION LOAN AWARDS IN THE FOLLOWING AMOUNTS: DOCTORATE PROGRAM: Darlene Bartz, \$500; Karen Rohr, \$500.00. MASTER'S PROGRAM: Heather Lewis, \$900; Sarah Fuchs, \$875; Melissa Fleck \$1200; Cammy Olson, \$1000; Sara Gebhart, \$1000. ADDITIONAL \$225 BE ALLOCATED FOR NURSE REFRESHER COURSES.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.52 Letter from Jamestown College Dept of Nursing	<p>The board reviewed a letter from Jamestown College Nursing Department Chair expressing concerns regarding the quality of the Dakota Nurse Program, and the issues of partial compliance in the survey report. The board discussed that as a new program, many areas will not be in compliance until the program has had a chance to develop. The board directed staff to issue a response to Jamestown College acknowledging their concerns and noting the differences in an existing program and initial approval.</p>
6.1 NCSBN NCLEX Examination Item Development Panel – Jill Holmstrom RN	<p><i>Discussion:</i> Jill Holmstrom, RN, has applied to serve on the NCSBN NCLEX examination Item Development Panel, and NCSBN requests confirmation that the applicant is acceptable to the board.</p> <p><i>Motion:</i> Olson, seconded by Sund to: RATIFY THE APPROVAL OF JILL HOLMSTROM TO NCSBN'S NCLEX ITEM DEVELOPMENT PANEL.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
6.2 Member Board NCLEX Examination Review Request	<p>Melland will be completing the NCLEX Examination Review at the Fargo testing site on November 29, 2005.</p>
6.3 Application for RN Licensure by Endorsement	<p><i>Discussion:</i> Lanessa Hirsch is a 2005, Excelsior College graduate who has applied for license by endorsement, but has not practiced 400 hours since her graduation. Ms. Hirsch was available via teleconference to discuss her issue with the board. Ms. Hirsch last practiced as an LPN in 2001 when she began Excelsior College. Ms. Hirsch resides in MN and was included in the students who were approved for the clinical preceptorship through Excelsior College under Agenda Item 5.21. The board discussed this option with Ms. Hirsch. Ms. Hirsch indicated that she may have an opportunity to obtain the 400 hours of practice in MN. The board discussed the two options with Ms. Hirsch.</p> <p><i>Motion:</i> Sund, seconded by Tello-Pool to: APPROVE LANESSA HIRSCH'S APPLICATION FOR LICENSE BY ENDORSEMENT UPON COMPLETION OF THE APPROVED CLINICAL PRECEPTORSHIP OR 400 HOURS OF PRACTICE AS A REGISTERED NURSE.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA ITEM	ACTION		
6.4 NCSBN Medication Assistant Panel of Experts – Gail Mallow	<p><i>Discussion:</i> Gail Mallow has been selected to serve on the NCSBN Medication Assistant Panel of Experts, and NCSBN requests approval of her appointment from the board.</p> <p><i>Motion:</i> Sund, seconded by Benson to: RATIFY THE APPROVAL OF GAIL MALLOW RN TO NCSBN'S MEDICATION ASSISTANT PANEL OF EXPERTS.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
7.11 Ratification of Request for Proposal	<p><i>Discussion:</i> The board reviewed a revised request for proposal from UND Center for Rural Health to conduct a study for Utilization of Medication Assistants. The study has been revised to meet the board's budget requirement.</p> <p><i>Motion:</i> Sund, seconded by Hegle to: RATIFY THE REVISED REQUEST FOR PROPOSAL FROM UNIVERSITY OF ND CENTER FOR RURAL HEALTH FOR THE STUDY ENTITLED "UTILIZATION OF MEDICATION ASSISTANTS IN ND".</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
7.12 Approval for registration – Surgical Technicians	<p><i>Discussion:</i> Ten individuals have submitted an application for surgical technician for review since the last meeting.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to: RATIFY APPROVAL OF THE FOLLOWING APPLICATIONS FOR SURGICAL TECHNICIANS ON THE UNLICENSED ASSISTIVE PERSON REGISTRY (NDAC 54-05-04-04-1C):</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> TERRI FURSTENAU DARLENE BRANDNER KRISTY LLERENAS RAMONA BIRDSELL MARGERIE ESTAD DIANA HEINEMEYER </td><td style="width: 50%; vertical-align: top;"> IRENE KOBLE DAWN SJOL SANDRA ODEGARD PAMELA SHIPLEY </td></tr> </table> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	TERRI FURSTENAU DARLENE BRANDNER KRISTY LLERENAS RAMONA BIRDSELL MARGERIE ESTAD DIANA HEINEMEYER	IRENE KOBLE DAWN SJOL SANDRA ODEGARD PAMELA SHIPLEY
TERRI FURSTENAU DARLENE BRANDNER KRISTY LLERENAS RAMONA BIRDSELL MARGERIE ESTAD DIANA HEINEMEYER	IRENE KOBLE DAWN SJOL SANDRA ODEGARD PAMELA SHIPLEY		
7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> Three individuals have submitted an application for prescriptive authority since the last meeting.</p> <p><i>Motion:</i> Tello-Pool, seconded by Olson to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING: Stephanie Kaiser, FNP, Grand Forks, ND Miranda Mikkelsen, FNP, Cavalier, ND Anna Novak, GNP, Fargo, ND</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
7.4 Nurse Licensure Compact Update	Kalanek reported that New Hampshire and South Carolina will be joining the compact in 2006.		
7.51 Legislative Bills Affecting State Agencies	Kalanek indicated that no new information has been received from the interim study on the Allied Health Care Board.		
7.52 Communication Policy and report form	<p><i>Discussion:</i> The board reviewed a draft Communication Policy and report form that was requested by the board after the last meeting. Ken Tupa, APT was present to discuss and review the communication policy and answer questions related to communication with legislators. Developing relationships with the legislators was discussed at length, and assignments for the communication policy will be done at the January meeting.</p> <p><i>Motion:</i> Tello-Pool, seconded by Sund to: ACCEPT THE COMMUNICATION POLICY AND REPORT FORM AS AMENDED.</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
7.6 Website & Renewal	The new website became available October 10 th . Approximately 2300 nurses have renewed on-line, and approximately 300 have renewed by paper. Approximately 4000 licensees will still need to renew.		

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CONSENT AGENDA:

8.1 NCSBN
8.11 President's Report BOD Mtg – August 29-31, 2005
8.12 Panels of Experts to Study Continued Competence in Nursing
8.13 Medication Assistant Panel of Experts (moved to 6.4)
8.2 Office Management
8.21 NDHA Letter
8.22 NDMA Letter
8.23 Physical Therapy Rules
8.24 Kilzer Letter
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Correspondence from AANP
8.33 AONE Guiding Principles
8.34 Air & Surface Transport Nurses Association
8.35 Role of LPN – assist surgeon
8.36 National Board for Certification of Hospice and Palliative Care
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN
8.64 NCLEX-PN
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 Thank you note for NEL – Cheryl Lantz
8.92 Ethics Course – FY Summary Data
8.93 Thank you note for NEL – Sheila Friedt
8.94 Thank you note for NEL – Denise Tollefson
8.95 Thank you note for NEL – Ashley Hansen
8.96 CCNE Moves to Consider for Accreditation
8.97 Thank you for NEL – Dawn Cox

BOARD COMMITTEES:

9.1 Workplace Impairment Program Committee
9.2 Nursing Education Committee -November 16, 2005 @ 1:00 p.m. In addition to items discussed 11/17/05, there was discussion regarding faculty qualifications, and the NEC will bring a recommendation to the board in March 2006. Kalanek presented a PowerPoint presentation on survey of the use of technology in nursing education in ND.
9.3 Finance Committee
9.4 Executive Committee
9.5 Prescriptive Authority Committee
9.6 Nursing Practice Committee - October 27, December 1, January 06 October 27 th Meeting Summary: Olson reviewed the meeting summary for October 27 th . The three issues the committee worked on were 1) Telephone Protocols, 2) Safety to Practice, and 3) Pain Management and use of range orders for medication administration. The issues will continue to be studied at the next meeting for recommendations to the Board.

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UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 NCSBN Annual Meetings – August 1-4, 2006
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.21 National and State Policy
10.22 Education Consultants
10.23 Discipline Networking
10.24 EO Network
10.25 NLCA Meeting
10.26 Board of Directors Meeting – December 7-9, 2005
10.27 Item Review Subcommittee, Olson & Shanta – December 6-9, 2005
10.28 Mid-Year Meeting, March 13-15, 2006
10.29 Commitment to Ongoing Regulatory Excellence – October 17-18, 2005 – A survey is being sent to various individuals and facilities to collect data for the study.
10.3 Annual Institute of Regulatory Excellence – January 9-11, 2006
10.4 ND Nurse Leadership Council – October 14, 2005 – The groups approved the by-laws, and the minutes will be distributed. The group will discuss increasing the membership.
10.5 NCSBN Executive Officers Seminar
10.6 ND Organization of Nurse Executives – September 30, 2005 – Kalanek provided information on Role of LPN in Critical Access Hospitals as directed by the Board.
10.8 ND Nurses Association, September 30 – October 1, 2005 – Minot – Sund Jane Rogansack, President of NDNA, reported that at their convention this past month, the group passed a motion that the NDNA oppose the creation of umbrella Allied Health Board that removes the autonomy of the Board of Nursing to regulate nurse practice.
10.9 ND Rural & Public Health Conference – March 22-24, 2006 – Fargo
10.10 ND LTCA Conference – September 21-23, 2005 – Bismarck
10.11 ND Health Care Association Annual Meeting – September 28-30, 2005 – Bismarck - Schell, Tello-Pool, Kalanek - See written report.
10.12 NCSBN Practice Breakdown Research Advisory Panel Meeting – September 26-27, 2005 – Bitz
10.13 Interim Budget Committee on Health Care – meeting scheduled for 11/29/2005
10.14 NDSU College of Pharmacy Annual Student Recognition Program – September 22- Case ; See written report.
10.15 NDDOH meeting on submission of HIPBD data – Kalanek & Bitz
10.16 Friends of the National Institute of Nursing Research (FNINR) NightinGala – Washington, DC, October 11, 2005 – Bitz
10.17 Attorney Certification Seminar in Professional Reg Law – FARB – October 14-15, 2005 – Bergeson reported on his attendance and the meeting highlights. The conference focused on legal issues of discipline issues.
10.19 American Association Colleges of Nursing – October 22-24, 2005
10.20 Consumer Directed Care, ND Dept of Human Service – Medicaid – October 25, 2005 – Kalanek
10.21 Budget Committee on Health Care – November 29, 2005
10.22 Nursing Law Update – September 26, 2005 – Hill; See written report.
10.23 ND Board of Nursing Retreat – September 20, 2005
10.24 First Annual Regulatory Day – November 2 – Board staff; See written report.

Staff Presentations:

- 11.1 NPA/Discipline/WIP – Medcenter One College of Nursing – August 29, 2005 – Bitz
- 11.2 NCLEX Update – October 14, 2005 – Board office – Kalanek, Shanta, Schwan
- 11.3 Regulatory Day – November 2, 2005 – Bismarck – Board Staff

Board Leadership Development - None

The meeting recessed for lunch from noon to 12:00 p.m. to 1:00 p.m. on November 17th.

The meeting recessed for the day at 4:10 p.m. and reconvened at 9:00 a.m. on Friday November 18th.

The meeting adjourned at 10:45 p.m. on November 18th.

Constance B. Kalanek, RN, PhD
Executive Director
Draft 11/21/05